

# Order

Michigan Supreme Court  
Lansing, Michigan

March 8, 2006

Clifford W. Taylor,  
Chief Justice

128313 & (15)

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 128313  
COA: 259544  
Oakland CC: 03-190499-FC

JOSEPH ANISE FARHAT,  
Defendant-Appellant.

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By order of November 9, 2005, the prosecuting attorney was directed to answer the defendant's application for leave to appeal. On order of the Court, the brief having been filed, the application for leave to appeal is again considered, and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Oakland Circuit Court, in light of the prosecution's concession of error, to amend the judgment of sentence to reflect that defendant was not convicted as a habitual offender and that he was convicted of only one, not two, counts of armed robbery. In all other respects the application is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.

We do not retain jurisdiction.

KELLY, J., would hold this case in abeyance for *People v Drohan*, lv gtd 472 Mich 881 (2005).



s0301

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 8, 2006

*Corbin R. Davis*

Clerk